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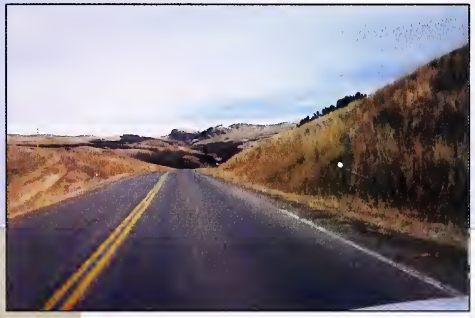
Summary of Final Coordination
Finding of No Significant Impact (FONSI)

Revised Environmental Assessment and
"Nationwide" Section 4(f) Evaluation

14.9 km South of Havre-South

STPS 234-1(7) 9; Control No. 2837

Hill County, Montana



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U.S. Department of Transportation
Federal Highway Administration and the
Montana Department of Transportation

Prepared By: **Robert Peccia & Associates, Helena, Montana**

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FINDING OF NO SIGNIFICANT IMPACT

ON THE

REVISED ENVIRONMENTAL ASSESSMENT AND "NATIONWIDE" *SECTION 4(F)* EVALUATION

FOR

14.9 KM SOUTH OF HAVRE SOUTH
STPS-BR 234-1(7) 9; Control No. 2837

HILL COUNTY, MONTANA

THE FEDERAL HIGHWAY ADMINISTRATION HAS DETERMINED THAT THIS PROJECT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE HUMAN ENVIRONMENT. THIS **FINDING OF NO SIGNIFICANT IMPACT** IS BASED ON THE ATTACHED SUMMARY OF FINAL COORDINATION, "NATIONWIDE" *SECTION 4(F)* EVALUATIONS, AND INPUT FROM PAST PUBLIC MEETINGS HELD TO DISCUSS THE PROJECT. THIS FINDING HAS BEEN INDEPENDENTLY EVALUATED BY THE FEDERAL HIGHWAY ADMINISTRATION AND DETERMINED TO ADEQUATELY AND ACCURATELY DISCUSS THE NEED, ENVIRONMENTAL ISSUES AND IMPACTS OF THE PROPOSED PROJECT AND APPROPRIATE MITIGATION MEASURES. IT PROVIDES SUFFICIENT EVIDENCE AND ANALYSIS FOR DETERMINING THAT AN ENVIRONMENTAL IMPACT STATEMENT IS NOT REQUIRED. THE FEDERAL HIGHWAY ADMINISTRATION TAKES FULL RESPONSIBILITY FOR THE ACCURACY, SCOPE AND CONTENT OF THE SUMMARY OF FINAL COORDINATION AND ITS ATTACHMENTS.

Dale Paulson
Program Development Engineer
Federal Highway Administration

5-2-2002
Date

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Summary of Final Coordination

14.9 km SOUTH OF HAVRE SOUTH

STPS-BR 234-1(7) 9; CN 2837

This document summarizes the final coordination activities undertaken by the MONTANA DEPARTMENT OF TRANSPORTATION (MDT) to complete the Environmental Assessment (EA) and "Nationwide" *Section 4(f)* Evaluation for the proposed reconstruction of 16.3 km (10.1 miles) of Secondary Highway 234 in Hill County. The proposed project begins about 14.9 km (9.3 miles) south of Havre and ends at the route's intersection with Taylor Road and lies entirely within Beaver Creek County Park. This document contains new information about this project and minor revisions to the EA distributed during February 2002.

Publishing a "Summary of Final Coordination" affords MDT the opportunity to: (1) respond to written comments received during the public availability period for the EA; (2) enhance the EA by more clearly describing the proposal and providing current information; and (3) provide a revised Nationwide *Section 4(f)* Evaluation for the minor effects the proposed highway reconstruction would cause to Beaver Creek County Park.

Together with the EA previously distributed, this document and its attachments constitute the Revised EA and Nationwide *Section 4(f)* Evaluation for the 14.9 km South of Havre-South project. The attached Finding of No Significant Impact (FONSI) was made based on the information provided in MDT's initial EA and this Summary of Final Coordination.

Public Notice and Availability of EA

The FEDERAL HIGHWAY ADMINISTRATION (FHWA) approved the EA and "Nationwide" *Section 4(f)* Evaluation for public availability on February 7, 2002.

A notice stating that the EA and "Nationwide" *Section 4(f)* Evaluation were available for review and advertising the date, time, and location for a Public Hearing was published in *The Havre Daily News* on February 22, 2002 and again on March 1, 2002. A similar notice was published on February 24, 2002 in the *Great Falls Tribune*. **Attachment 1** contains MDT's news release about the EA and a copy of the notice of the EA's availability and public hearing advertisement.

Copies of the EA were mailed to all agencies and persons on the Circulation List during the week of February 18-22, 2002. MDT also made copies of the EA available for public review beginning February 22, 2002 at the following locations:

Havre-Hill County Library
402 3rd St
Havre, MT 59501

MDT Great Falls District Office
200 Smelter Avenue NE
Great Falls, MT 59403-1359

Hill County Commissioners Office
Hill County Courthouse
315 4th Street
Havre, MT 59501

MDT Environmental Services
2701 Prospect Avenue
Helena, MT 59620-1001

Robert Peccia & Associates
825 Custer Avenue
Helena, MT 59604

The notice of availability advised the public that the EA document could be viewed on Robert Peccia & Associates' Internet website (**www.rpa-hln.com**) beginning February 22, 2002. Robert Peccia & Associates (RPA) prepared and distributed the EA for MDT. RPA's website provided the date, time, and location for the public hearing and information about how to comment on the EA.

MDT's Notice of Availability and a transmittal memo included with each EA document advised interested agencies and the public of the scheduled public hearing date and that comments on the EA were due by March 29, 2002.

During the public availability and review period for the EA, MDT did not receive any written or telephone requests for copies of the document. However, Dave Wilson, a member of the Hill County Parks Board, requested and received a copy of the EA at the March 26, 2002 public hearing.

March 26, 2002 Public Hearing

On Tuesday, March 26, 2002, MDT held a public hearing to receive comments on the EA and Nationwide *Section 4(f)* Evaluation for this proposed project. The hearing was held at the Havre City Hall, 520 4th Street, beginning at 7:00 p.m. The primary purposes of the hearing were to discuss the document's findings and obtain oral and/or written comments on the EA from interested members of the public. John Robinson of MDT moderated the meeting. MDT tape-recorded the proceedings and comments made at the meeting. Attendance was estimated to be 16 persons not including MDT staff and Dan Norderud of RPA. Sign-in sheets, comment forms, and other project information were available to those present. A copy of the sign-in sheet from the hearing is provided as **Attachment 2.**

John Robinson convened the meeting shortly after 7:00 p.m. and began with introductions of MDT staff, Hill County Commissioners, and others who were involved in the development of the project.

Dan Norderud of RPA spoke next about the environmental assessment process, the purpose and need for the project, alternatives considered, and several notable impacts of the proposed project. A slide presentation was used to summarize the EA document and key findings. Handouts of the slide presentation were made available to those attending the hearing.

A general discussion of the project followed the presentation on the EA. MDT then provided an

opportunity to submit oral comments on the EA. "Formal" comments received at the hearing are summarized below in ***bold and italicized text.*** MDT's responses follow each italicized comment.

- ***Jonathan Windy Boy of Box Elder wanted to know what portion of the project was being paid for by State of Montana funds.***

MDT RESPONSE: Dan Norderud explained that the project is primarily being accomplished with federal funds. The proposed improvements would be financed under Montana's Surface Transportation Program (STP) and the Highway Bridge Replacement and Rehabilitation Program (HBRRP) with funds from the Federal Highway Trust Fund. Road reconstruction activities would be paid for through STP funding and the cost of replacing the three bridges would be funded through the HBRRP. STP funding is about 87% federal with a 13% state match. HBRRP program funding is 80% federal with a 20% state match.

- ***Lou Hagener of Havre said that although there were a few things in the document that he could take issue with, there was no need to "quibble" about them and the project should move forward. He also felt the document adequately analyzed the effects of the road project. Mr. Hagener believes the major concerns for the project have to do with improving the safety of the facility and making the public more safety conscious when traveling the roadway. He alluded to the efforts by MDT and Hill County to develop a Safety Mitigation Plan for Highway 234 that addresses a variety of road safety issues.***

MDT RESPONSE: No response required.

- ***Conrad Nystrom of Box Elder expressed that the map on pages 4 and 29 of the EA did not show the current private land ownerships adjacent to the west boundary of the park. The map included in the EA shows Rocky Boys Indian Reservation lands adjoining the park.***

MDT RESPONSE: Dan Norderud responded by saying that the map was obtained from the BUREAU OF LAND MANAGEMENT (BLM). It is acknowledge that the map may be incorrect or not current in its depiction of privately owned land. However, the main purpose of the map was to show the approximate boundaries of Beaver Creek County Park, the limits of the reconstruction project, and the locations of bridge replacements or other work being proposed with the project. An ownership legend was added to identify the meaning of the various color blocks shown on the map.

Please note that another map was obtained from the BLM that more accurately presents public and private land ownerships and Reservation lands in the vicinity of Beaver Creek County Park. A copy of this map is provided on page FC-8 of this document.

Mr. Nystrom felt there was no real need for geology to be discussed in the EA and that some claims about the geologic history made in the text could be disputed.

MDT RESPONSE: Although not essential information, the brief discussion of the geology of the area may help someone unfamiliar with this part of Montana better understand the natural processes that created the unique environment of the project area.

In response to Mr. Nystrom's comment, the second paragraph under **Project Area Geology** on page 35 of the EA should be revised to read as follows:

> The geology of the project area is the result of volcanic and glacial action. The Bears Paw Mountains south of the project area are the deeply eroded remnants of an isolated cluster of volcanoes active millions of years ago. Rock outcrops in surrounding hills are likely associated with volcanic rocks from the Bears Paw Mountains. Within the Beaver Creek drainage, eroded volcanic material is mixed with reworked glacial debris deposited during the last glacial episode. The parent rocks for material found in the drainage includes chert, granite and a variety of metamorphic rocks.

- ***Pat Conway, Hill County Commissioner, provided the audience with information about the status of the proposed springs to be developed in the uplands of Beaver Creek County Park. He advised that the County had recently received and opened bids from contractors for the construction of the springs.***

MDT RESPONSE: No response required.

- ***Mr. Nystrom then asked Mr. Conway who designed the springs that are proposed in the park and how the County advertised for bids.***

MDT RESPONSE: Mr. Conway answered that Lou Hagener and Bernie Golie had initially done work to locate appropriate sites for the springs. He said the County has also talked to several contractors who have developed such water sources in the general area. Mr. Conway also indicated that the County held a pre-bid meeting with interested contractors and that input from that meeting was used to develop specifications for the proposed work.

Mr. Conway said that the spring development work was advertised according to procedures typically used by Hill County when soliciting services.

- ***Jim Faber of Havre said wondered what "minor" changes in alignment means and that he has heard a rumor that the road's location would be changed.***

MDT RESPONSE: Dan Norderud stated that the new road would be slightly wider but the centerline of MDT's proposed design generally follows that of the existing road. There are areas of the project corridor where horizontal and vertical curves (hill crests) would be rebuilt to standards and the road's location might not be in the same exact location as that of the present facility. However, there would be no major changes to where the road is located within the park.

- ***Mr. Windy Boy asked if any new recreational developments would be included with the highway project.***

MDT RESPONSE: Dan Norderud answered that MDT is not proposing any new recreational developments as part of the project. The likelihood exists that approaches to some developed facilities, drainage pipes, or fencing associated with existing recreational facilities in the park may be disturbed by the project. MDT would reconstruct approaches and replace other facilities in the park disrupted by highway construction.

Written Comments Received on the EA

MDT received three (3) written comments on the EA and Nationwide Programmatic *Section 4(f)* Evaluation for the proposed 14.9 km South of Havre South project during the public availability and review period. The following comments were submitted to MDT by between February 22, 2002 and March 29, 2002, the advertised comment period for the EA.

- March 26, 2002 comment form from Conrad Nystrom (submitted at hearing)
- March 26, 2002 comment form from Jim Faber (submitted at hearing)
- March 27, 2002 letter from Robert Anderson, Chief, Recreation Grants Division, U.S. Department of the Interior, National Park Service Midwest Region

These comments are reproduced as written on the following pages. Pertinent comments are shown in ***bold and italicized text.*** MDT's responses follow each italicized comment. Copies of the original written comments are provided in **Attachment 3**.

Conrad Nystrom's Comments from March 26, 2002 Hearing

On March 26, 2002, Conrad Nystrom submitted the following comments on the EA at the public hearing.

> ***The map on pg. 29 (Fig. 5) and pg. 4 (Fig. 2) showing Indian Reservation includes at least 17 ranchers that are not on the Res --***
>
> ***On pg. 39 under project Geology - I suggest the time periods i.e. "fifty million years" and "15,000" be omitted - There are many educated, intelligent scientists who would dispute those time periods!***

MDT RESPONSE: Please see MDT's response to similar oral comments Mr. Nystrom made at the public hearing presented earlier.

Jim Faber's Comments from March 26, 2002 Hearing

> ***More patrolling***
> ***Reduced Speed limits, more signs warning motorists of livestock. Park is congested from Memorial Day until significant snowfall.***

MDT RESPONSE: Your concerns are noted. MDT and Hill County are in the process of developing a Safety Mitigation Plan for Highway 234 in Beaver Creek County Park (see Appendix D in the EA). As the draft version of the Safety Mitigation Plan shows, measures such as increased law enforcement presence, speed reductions, additional signing, and other measures to increase the public's awareness that livestock may be on or near the road are being considered.

> ***"Minor" changes to someone not from the area may be considered "major" to local residents.***

MDT RESPONSE: Please see MDT's response to similar comments from Mr. Faber from the public hearing presented earlier in this Summary.

Robert Anderson (NPS) Comments from March 27, 2002 Letter

> ***Reference is made to your February 20 correspondence regarding the document entitled "Environmental Assessment/Nationwide Section 4(f) Evaluation, 14.9 km South of Havre-South, STPS 234-1 (7) 9; Control No. 2837." This document presents the reconstruction of Montana Secondary Highway 234 and identifies the need for additional permanent right-of-way from Beaver Creek Park. This Hill County park was developed with assistance from the Land and Water Conservation Fund (L&WCF) program in projects 30-00016 and 30-00238.***
>
> ***We reviewed the referenced document with particular attention to the programmatic 4(f) evaluation and note that 38.29 acres are identified as the necessary mitigation to satisfy Section 6(f)(3) of the L & WCF Act (Public Law 88-578, as amended). We concur that the proposed project and resultant actions meet the applicability criteria and that all possible planning to minimize harm to Beaver Creek Park has been undertaken. Therefore, we offer no objection to the road project as proposed. Our position is based on the following condition:***
>
> 1. ***The use of existing parkland for the proposed road improvement is limited to the 4.63 acres identified in the proposal and that at least 38 acres are purchased as substitute parkland.***

MDT RESPONSE: MDT acknowledges the minor *Section 4(f)* use of 4.63 acres of Beaver Creek County Park and that at least 38 acres of land must be purchased and transferred to Hill County as mitigation for the conversion of land encumbered by *Section 6(f)(3)* of the L&WCF Act.

New Information Relevant to the EA/*Section 4(f)* Evaluation

1. Progress Towards Acquiring Replacement Parkland

Part IV. 10. Impacts to Section 6(f) Lands (pages 72-75 in the EA distributed in February 2002) discussed the proposed project's impacts to lands within Beaver Creek County Park encumbered by *Section 6(f)(3)* of the L&WCF Act. The EA disclosed that about 15.50 ha (38.29 acres) of LWCF-encumbered land within the park would be converted by this proposed project.

As mitigation for the conversion of *Section 6(f)* land in Beaver Creek County Park, MDT must provide at least 15.50 ha (38.29 acres) of replacement park land to Hill County. Replacement land must be of reasonably equivalent usefulness and location as that being converted. The EA indicated that MDT and Hill County have been working together to find parcels that could serve as suitable replacement park land. A 16.19 ha (40 acre) parcel adjoining the park was identified in the EA as a possible location for the required replacement park land (see **FIGURE 7** in the EA).

Since the EA was released, MDT has contacted the landowner about purchasing the property. However, due to a difference of opinion about the value of the property, MDT did not move forward to purchase the land.

During April 2002, MDT reached a tentative agreement with the owner of another property located adjacent to the north end of the park. The owner is apparently willing to sell about 16.19 ha (40 acres) of land located in the NE¼NE¼ of Section 27, Township-31-North; Range-15-East. The proposed replacement park land is shown on page FC-11 of this document.

MDT is coordinating this potential land acquisition with Hill County and the MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS (MDFWP) to ensure the property is considered to be acceptable as replacement parkland.

2. Revised Nationwide *Section 4(f)* Evaluation Form

Modifications to the "Nationwide" *Section 4(f)* Evaluation form for Beaver Creek County Park. Public recreation lands addressed in the *Section 4(f)* Evaluation include affected portions of Beaver Creek County Park and land within the park leased by Hill County to the MDFWP for the Bear Paw Lake Fishing Access Site (FAS). The *Section 4(f)* Evaluation form was revised to reflect MDT's final coordination efforts with Hill County and the MDFWP. The revised "Nationwide" *Section 4(f)* Evaluation for the Beaver Creek County Park has been included as **Attachment 4**.

On April 12, 2002, MDT sent letters to the Hill County Commissioners and to Jim Satterfield, MDFWP's Region 6 Supervisor. The letters reiterated the 4(f) uses (impacts) likely to occur within Beaver Creek County Park and at the Fishing Access Site (FAS) and to the users of these recreational facilities. MDT requested concurrence with conclusions about the potential effects to Beaver Creek County Park and the FAS and with the mitigation proposed for the minor use of land from these recreation sites. Copies of the letters indicating Hill County's and MDFWP's concurrence are provided with **Attachment 4**.

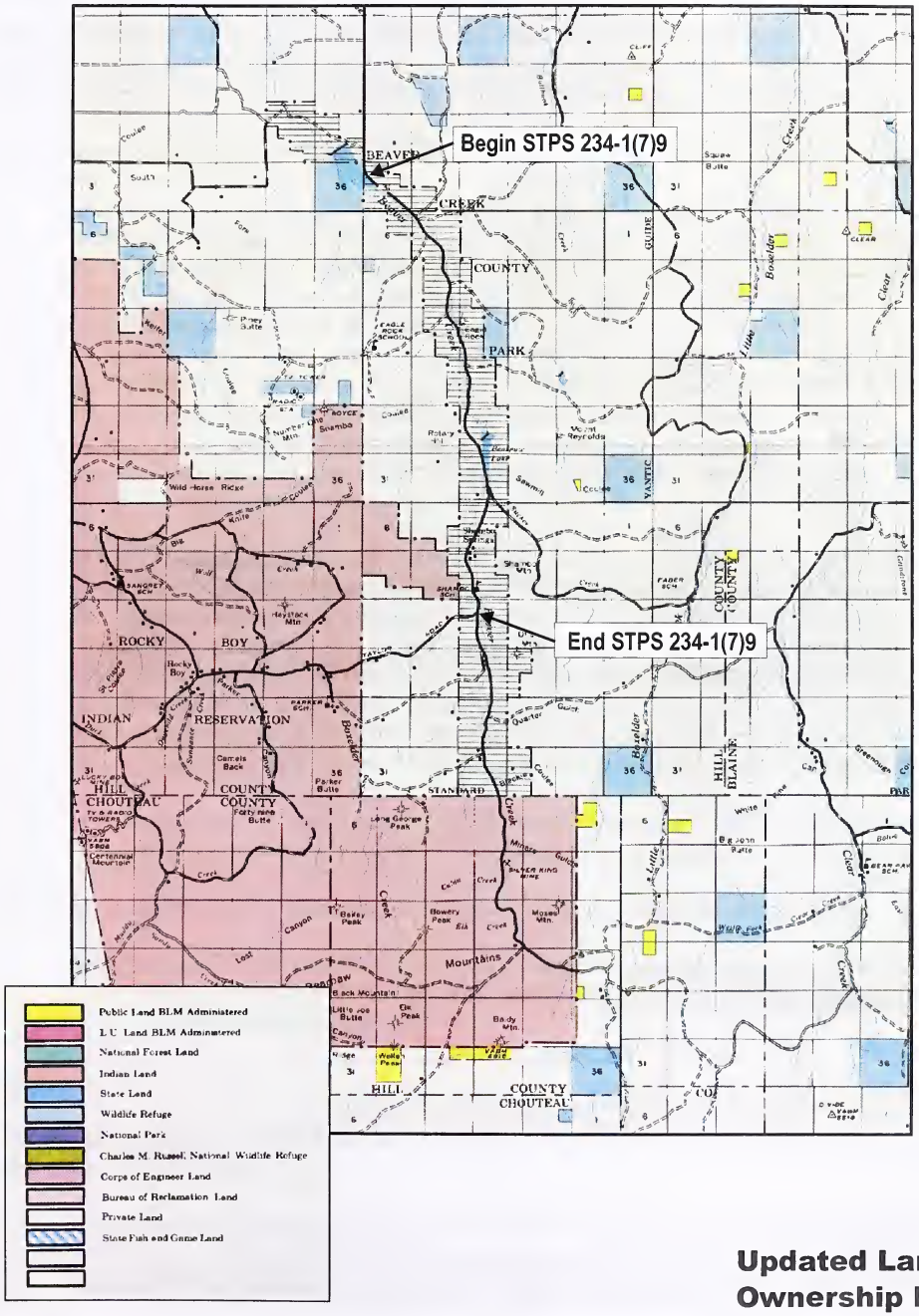
Modifications made to the *Section 4(f)* Evaluation form have been highlighted through the use of shading.

Other Necessary Changes to the EA

The following changes should be made to the EA previously distributed based on comments received by MDT.

New Base Map for Figures 2 and 29 in EA

In response to Conrad Nystrom's comments about the maps used for figures, a new map showing private ownerships of lands adjacent to Beaver Creek County Park was obtained from the BLM. A copy of the map is provided on the following page (FC-8).



Updated Land Ownership Map

Page 44

During a review of the EA, staff from MDT's Hydraulics Section in Helena requested that several minor changes be made to discussions relating to floodplain impacts and to mitigating measures for floodplain impacts. The items needing modifications or clarification are highlighted below.

The first paragraph on page 44 should be deleted and replaced with the following paragraphs:

> This proposed project requires transverse encroachments of the delineated floodplain at three existing bridge sites on Beaver Creek. Three bridges are proposed for replacement due to their deteriorated physical condition, their lack of adequate width and load carrying capacity, and their inadequate hydraulic capacities. MDT has completed detailed hydraulic analyses for each proposed Beaver Creek crossing to serve as a basis for design work associated with the proposed new bridges. The new bridges would be designed to ensure water surface elevations do not increase over existing conditions for the 100-year flood event. The new bridges would be constructed in the same general locations, incorporate increased span lengths, and have piers located outside the active channel of Beaver Creek at each crossing. The hydraulic geometry at the Beaver Creek road crossings would be improved.
>
> The proposed project may involve minor longitudinal encroachments at several locations along Beaver Creek. MDT's design for the new road would be developed to minimize such encroachments. MDT proposes to construct surfacing inslopes throughout the project at 5:1 for the first 2.7 m (8.8± feet) away from the road's edge instead of at 6:1. MDT would also adjust fill slopes (the roadside slopes intersecting the natural ground line) from 4:1 to 2:1 at various locations throughout the project to minimize longitudinal encroachments on the floodplain of Beaver Creek and to wetlands. For traffic safety reasons, guardrail would be installed in the areas where steeper fill slopes are proposed.
>
> The proposed project would comply with **Executive Order No. 11988** by not promoting or encouraging development within the floodplain or increasing flood liability hazards.

The second item listed under **Mitigating Measures** on page 44 should be revised to read:

- *Bridge designs would ensure that water surface elevations do not increase over existing conditions for the 100-year flood event and are compatible with state and local floodplain regulations.*

Page 74

The second paragraph under **10. Impacts to Section 6(f) Lands, Mitigating Measures** on page 74 should be revised to read:

> As mitigation for the conversion of *Section 6(f)* land in Beaver Creek County Park, MDT must provide 15.50 ha (38.29 acres) of replacement park land to Hill County. MDT has worked with Hill County to identify potential parcels that could serve as replacement park

land. Currently, MDT has reached a tentative agreement to purchase about 16.19 ha (40 acres) of land located adjacent to the north end of Beaver Creek County Park. The proposed replacement property is located in the NE¼NE¼ of Section 27, Township-31-North; Range-15-East. The location of the replacement park land relative to the county park is shown in **FIGURE 7**. Coordination with Hill County regarding this proposed land acquisition suggests that the property would be acceptable as replacement parkland.

Page 75

Figure 7 in the EA should be replaced with the map shown on page FC-11.

Page 88

The following persons should be added to the EA mailing list.

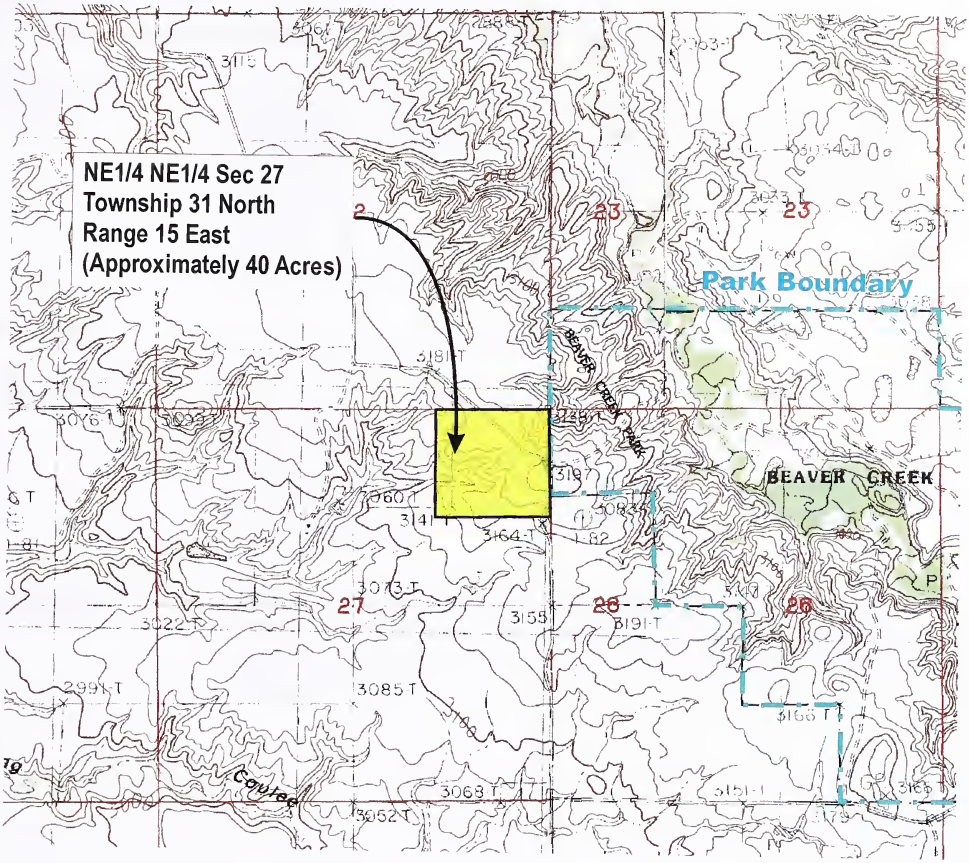
Giles Gregoire
HC 30 Box 376
Havre, MT 59501

Chas Manuel
HC 30 Box 372
Havre, MT 59501

Jody Manuel
HC 30 Box 371
Havre, MT 59501

Dave Wilson
HC 30 Box 356
Havre, MT 59501

Arnie Hall
HC 30 Box 404
Havre, MT 59501



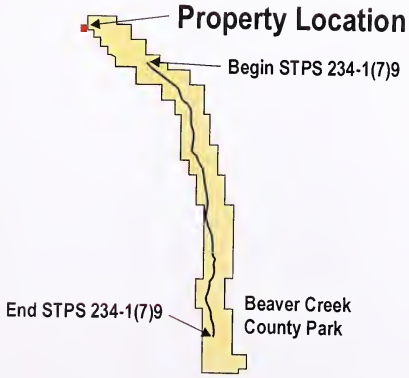


Figure 7:
Location of Replacement Land For Section 6(f) Conversion

Attachments

The following items are provided as attachments to this Summary of Final Coordination.

Attachment 1 Items relating to Notice of EA's availability and planned public hearing.

- February 19, 2002 MDT News Release about the availability of EA.
- February 22, 2002 Notice of EA's Availability and Public Hearing Advertisement as published in *The Havre Daily News* and *Great Falls Tribune.*
- February 20, 2002 article from *The Havre Daily News* about availability of EA and planned Public Hearing.

Attachment 2 Public Hearing Sign-In Sheet from March 26, 2002

Attachment 3 Written comments received on EA.

- March 26, 2002 comment form from Conrad Nystrom
- March 26, 2002 comment form from Jim Faber
- March 27, 2002 letter from Robert Anderson, Chief, Recreation Grants Division, U.S. Department of the Interior, National Park Service Midwest Region

Attachment 4 Revised Nationwide *Section 4(f)* Evaluation for Beaver Creek County Park

- April 12, 2002 letter from Jean A. Riley to Hill County Commissioners
- April 12, 2002 letter from Jean A. Riley to Jim Satterfield, MDFWP Region 6 Supervisor

ATTACHMENT 1: Items Relating to Notice of EA's Availability and Planned Public Hearing

Montana Department of Transportation

PO Box 201001
Helena, MT 59620-1001

Judy Martz, Governor

FOR IMMEDIATE RELEASE

February 19, 2002

For further information, contact:
Michael Johnson, MDT (406) 454-5887 or
Dan Norderud, Peccia & Associates, (406) 447-5000
Jean Riley, MDT (406) 444-7728

NOTICE OF AVAILABILITY
ENVIRONMENTAL ASSESSMENT and SECTION 4(f) EVALUATION
NOTICE OF PUBLIC HEARING
14.9 km South of Havre-South

The Montana Department of Transportation (MDT), in cooperation with Hill County, has prepared an Environmental Assessment (EA) and "Nationwide" *Section 4(f)* Evaluation for improvements to 10.1 miles of Secondary Highway 234 south of Havre. The proposed project begins about 9.3 miles south of Havre and ends at the route's intersection with Taylor Road and lies entirely within Beaver Creek County Park.

The EA discusses the proposed activities and environmental impacts associated with the 14.9 km South of Havre-South project. The EA evaluates two alternatives in detail: a "No Build" alternative and a "Build" alternative involving reconstruction of the highway closely following it's present alignment and minor widening of the road's paved surface. Three Bridges over Beaver Creek would also be replaced. Due to action by the 2001 Legislature, fencing the highway corridor is no longer required or part of this project. However, Hill County and MDT must implement a Safety Mitigation Plan including other measures to increase safety for motorists when "open range" grazing occurs in the Park.

The Nationwide *Section 4(f)* Evaluation included with the EA documents compliance with the *U.S. Department of Transportation Act* for impacts to Beaver Creek County Park.

A public hearing to explain the scope of the project, explain the findings of the EA, and to take comments on the EA and *Section 4(f)* Evaluation will be held from 7:00pm-9:00pm on Tuesday, March 26, 2002 at the Havre City Hall, 520 4th Street, in Havre, Montana.

Copies of the EA are available for public review at the following locations:

Havre Hill County Library
402 3rd Street
Havre, MT 59501

Hill County Commissioner's Office
Hill County Courthouse
315 4th Street
Havre, MT 59501

MDT Great Falls District Office
200 Smelter Avenue NE
Great Falls, MT 59403-1359

MDT Environmental Services
2701 Prospect Avenue
59620-1001

Robert Peccia & Associates
825 Custer Avenue
Helena, MT 59604

To request a copy of the EA, contact David C. Larson, P.E., (406) 444-7648. The EA will also be available for viewing on Robert Peccia & Associates' website at **www.rpa-hln.com** beginning February 22, 2002.

MDT requests your comments for this proposed project. **Written comments must be sent to: David C. Larson, P.E., MDT Environmental Services, 2701 Prospect Avenue, P.O. Box 201001, Helena, MT, 59620-1001 by Friday, March 29, 2002.** To arrange special accommodations for persons with disabilities, call MDT at (888) 730-0898 or TTY (800) 335-7592.

MDT Montana goes with pride

Public Meeting

NOTICE OF AVAILABILITY

ENVIRONMENTAL ASSESSMENT and SECTION 4(f) EVALUATION

NOTICE OF PUBLIC HEARING

14.9 km South of Havre-South

The Montana Department of Transportation (MDT) in cooperation with Hill County, has prepared an Environmental Assessment (EA) and "Nationwide" *Section 4(f)* Evaluation for improvements to 10.1 miles of Secondary Highway 234 south of Havre. The proposed project begins about 9.3 miles south of Havre and ends at the route's intersection with Taylor Road and lies entirely within Beaver Creek County Park.

The EA discusses the proposed activities and environmental impacts associated with the 14.9 km South of Havre-South project. The EA evaluates two alternatives in detail: a "No Build" alternative and a "Build" alternative involving reconstruction of the highway closely following it's present alignment and minor widening of the road's paved surface. Three Bridges over Beaver Creek would also be replaced. Due to action by the 2001 Legislature, fencing the highway corridor is no longer required or part of this project. However, Hill County and MDT must implement a Safety Mitigation Plan including other measures to increase safety for motorists when "open range" grazing occurs in the Park.

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Copies of the EA are available for public review at the following locations:

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59620-1001

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MDT requests your comments for this proposed project. **Written comments must be sent to: David C. Larson, P.E., MDT Environmental Services, 2701 Prospect Avenue, P.O. Box 201001, Helena, MT, 59620-1001 by Friday, March 29, 2002.** To arrange special accommodations for persons with disabilities, call MDT at (888) 730-0898 or TTY (800) 335-7592.

7 pm, Tuesday, March 26, 2002
Havre City Hall
520 4th Street
Havre, Montana

To place your ad here call 265-6795 www.havredailynews.c

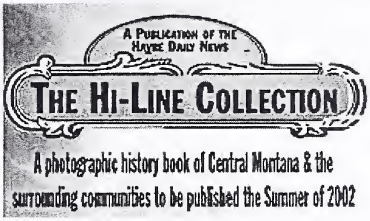
The Havre Daily News

April 22, 2002

Local Poll

How important is Amtrak service to Montana?

Vital	91%
Very	4%
Somewhat	1%
Not Important	4%



The Hi-Line Collection will be published Summer of 2002
ORDER YOUR BOOK TODAY
Post-Publication Price $34.95
Call or stop by the Havre Daily News and order your book now for only $29.95

Possible effects of park highway open to view

02/20/02

The environmental assessment for the proposed reconstruction of Beaver Creek Highway is available for viewing.

The proposed project would begin at the north end of Beaver Creek Park, about nine miles south of Havre and end at Taylor Road, about 20 miles south of Havre.

The assessment discusses the proposed construction and environmental impacts associated with it.

The 2001 Legislature exempted Highway 234 from fencing, which is normally required for state secondary highways. As part of the exemption, the Legislature required Hill County and the Montana Department of Transportation to take steps to reduce the chance of livestock roaming onto the road.

A public hearing will be held on March 26 at the Havre City Hall from 7 to 9 p.m. to explain the scope of the project, the findings of the assessment and to take public comment on the assessment.

The assessment will be available on the Robert Peccia and Associates' Web site on Friday, and is available at the Havre-Hill County Library, the Hill County Commission office at the county Courthouse, the MDT Great Falls District Office at 200 Smelter Ave. N.E. in Great Falls, MDT Environmental Services at 2701 Prospect Ave. in Helena, and Robert Peccia and Associates at 825 Custer Ave. in Helena.

To request a copy of the assessment, call David Larson at (406) 444-7648.

On the Net: Robert Peccia and Associates: www.rpa-hln.com

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ATTACHMENT 2: Sign-In Sheets from March 26, 2002 Public Hearing

Please Print!

Montana Department of Transportation

Public Meeting
Sign In Sheet

Project: Environemental Assessment Hearing: 14.9 km South of Havre-South
Number: STPHS 234-1(4)0
Control Number: CN2837
Date: Tuesday, March 26, 2002
Place: Havre City Hall, 520 4th Street, Havre, MT

Name (Please Print)	Address (Please Print)	Newsletter Mailing List – Y/N
Dean A. HANSON	P.O Box 186 Gildford, MT 59525	
Pat Conway	Pat Conway 59501 Box 1933 Havre	
Carles Gregoire	HC30- Box 376 Havre 59501	✓
Chas Manuel	HC 30 Box 372 Havre 59501	✓
Jody Manuel	HC 30 Bx 371 Havre	X
Dave Wilson	HC 30 Box 356 HAVRE 59501	X
CONRAD NYSTROM	R Rt. 1 Box 1000 Box ELDER, Mt. 59521	X
Jonathan Windy Boy	RR 1 - Box 263 Box Elder, Mt 59521	Y
ARNIE HALL	HC 30 BOX 404 59501	Y
Doug Kaercher	4040 4th St. W. Havre, Mt 59501	
Brandi Elings	2210 31st St N Havre 59523	N

Please Print!

Montana Department of Transportation

Public Meeting Sign In Sheet

Project: Environemental Assessment Hearing: 14.9 km South of Havre-South
Number: STPHS 234-1(4)0
Control Number: CN2837
Date: Tuesday, March 26, 2002
Place: Havre City Hall, 520 4th Street, Havre, MT

Name (Please Print)	Address (Please Print)	Newsletter Mailing List – Y/N
Lou Hagener	612 - 17th St Havre, MT 59501	
Vic Danson	HC 30 Box 371B Havre	
JIM FABER	HC 30 Box 360 HAVRE, MT 59501	
STEVE WARIANI	1195 16th STREET HAVRE, MT 59501	X
Kathy Bessette	Hill County Havre, Mt.	

ATTACHMENT 3: Written Comments Received on EA

MONTANA DEPARTMENT OF TRANSPORTATION

Comment Form

Project: Environmental Assessment Hearing 14.9km South of Havre-S
Project Number: STPHS 234-1(4)0
Control Number: CN2837

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Michael Johnson, District Administrator, PO Box 1359, GreatFalls, MT 59403-1359 by March 29, 2002.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest and comments on this project. Feel free to use the back and/or additional sheets of paper if necessary.

NAME AND ADDRESS: CONRAD NYSTROM
RR. 1 Box 1000
BOX ELDER, MT. 59521

COMMENTS: The Map on pg. 29 (Fig. 5) pg. 31 (Fig. 2) Showing Indian Reservation includes at least 17 ranchers that are not on the Res—

On pg. 39 under project Geology—
I suggest the time periods i.e. "5,000 million years" and "15,000" be omitted. There are many educated, intelligent scientist who would dispute those time periods!

MONTANA DEPARTMENT OF TRANSPORTATION

Comment Form

Project: Environmental Assessment Hearing 14.9km South of Havre-S
Project Number: STPHS 234-1(4)0
Control Number: CN2837

You are invited to make your comments on this form and leave it with the meeting officials or take it with you and mail it to Michael Johnson, District Administrator, PO Box 1359, GreatFalls, MT 59403-1359 by March 29, 2002.

Please indicate your name, address and affiliation (if any) below. Thank you for your interest and comments on this project. Feel free to use the back and/or additional sheets of paper if necessary.

NAME AND ADDRESS: JIM FABER
HC 30 BOX 360
HAVRE, MONT. 59501

More Patrolling

COMMENTS: REDUCED SPEED LIMITS MORE SIGNS WARNING motorists of Livestock. PARK IS CONGESTED FROM Memorial Day until significant snowfall

"MINOR" changes to someone not from the AREA MAY be CONSIDERED "MAJOR" to local residents.

United States Department of the Interior
NATIONAL PARK SERVICE
MIDWEST REGION
1709 JACKSON STREET
OMAHA, NEBRASKA 68102-2571

MASTER FILE COPY

IN REPLY REFER TO:
30-00016(MWR-CRSP/G)
30-00238

RECEIVED
APR 0 2 2002
ENVIRONMENTAL

Mr. David C. Larson, PE
MDT Environmental Services
2701 Prospect Avenue
P.O. Box 201001
Helena, Montana 59620-1001

Dear Mr. Larson:

Reference is made to your February 20 correspondence regarding the document entitled "Environmental Assessment/Nationwide Section 4(f) Evaluation, 14.9 km South of Havre-South, STPS 234-1(7)9; Control No. 2837." This document presents the reconstruction of Montana Secondary Highway 234 and identifies a need for additional permanent right-of-way from Beaver Creek Park. This Hill County park was developed with assistance from the Land and Water Conservation Fund (L&WCF) program in projects 30-00016 and 30-00238.

We reviewed the referenced document with particular attention to the programmatic 4(f) evaluation and note that 38.29 acres are identified as the necessary mitigation to satisfy Section 6(f)(3) of the L&WCF Act (Public Law 88-578, as amended). We concur that the proposed project and resultant actions meet the applicability criteria and that all possible planning to minimize harm to Beaver Creek Park has been undertaken. Therefore, we offer no objection to the road project as proposed. Our position is based on the following condition:

1. The use of existing parkland for the proposed road improvement is limited to the 4.63 acres identified in the proposal and that at least 38 acres are purchased as substitute parkland.

Any questions you have may be directed to Ms. Terree Klanecky at 402-221-3202.

Sincerely,

Robert Anderson
Chief, Recreation Grants Division

cc:
Mr. Chas Van Genderen, Chief, Operations and Management Bureau, Parks Division, Montana Fish, Wildlife and Parks, 1420 East Sixth Avenue, P.O. Box 200701, Helena, Montana 59620-0701

ATTACHMENT 4: Revised Nationwide Section 4(f) Evaluation Form for Beaver Creek County Park

MONTANA DIVISION

"NATIONWIDE" *SECTION 4(f)* EVALUATION
FOR MINOR USAGE OF
PUBLIC PARKS, RECREATION LANDS, AND WILDLIFE AND WATERFOWL REFUGES

Project # STPS 234-1(7) 9, (P.M.S. C# 2837)
Project Name: 14.9 km South of Havre South

Date: May 1, 2002
Location: Beaver Creek County Park
Hill County, Montana

This proposed project would reconstruct 16.9± km (10.6± miles) of Montana Secondary Highway 234 within Beaver Creek County Park south of Havre. Beaver Creek County Park, a 4,117-hectare (10,173± acre) park, is owned and administered by Hill County. The proposed project would reconstruct the existing 7.2 m (23.6± feet) wide paved roadway to provide an 8.4 m (27.6± feet) wide finished surface. Three bridges over Beaver Creek would be replaced for greater safety and adherence to current design standards. The project would provide a consistent horizontal and vertical alignment to blend with the topography, enhance safety, and provide more uniform driving conditions and safe travel speeds for motorists. Although a sizable easement across park land would be dedicated for Highway 234 by Hill County, MDT and FHWA concluded only the minor increase in the road's paved surface area would constitute a *Section 4(f)* use. Therefore, the only *Section 4(f)* land used by the proposed transportation project would be the 1.2 m (3.9± feet) of additional paved road surface width MDT intends to build through the park. Maps showing the location of this project are in Part I of the EA.

NOTE: *Any response in a box requires additional information. Consult the "Nationwide" Section 4(f) Evaluation criteria.*

		YES	NO
1.	Is the *4(f)* site adjacent to the existing highway?	X	
2.	Does the amount and location of the proposed impact area impair the use of the remaining *Section 4(f)* land for its intended purpose?		X
3.	Does the proposed project require more than a minor amount* of the *Section 4(f)* site for Right-of-Way? **The total area of *Section 4(f)* use was calculated to be 1.88 ha (4.63 acres), or 0.046% of the total park area.**		X
4.	Are there any proximity impacts which would impair the use of the *4(f)* lands for their intended purpose (defined as "constructive use")?		X
5.	Have the officials with jurisdiction over the property agreed in writing with the assessment of impacts and the proposed mitigation? **4(f) Concurrence Letters from Hill County and MDFWP Attached**	X	
6.	Have Federal funds — such as the *National Land & Water Conservation Fund - Section 6(f)* — been used for the acquisition of, or improvements to the *4(f)* site? **Hill County has received two LWCF grants to improve the county park. The Montana Department of Fish, Wildlife, & Parks (MDFWP) received LWCF assistance in three grants to help develop the Bear Paw Lake Fishing Access Site (FAS) on land within the park leased from Hill County.**	X	—
	If yes — has the land conversion/transfer been coordinated with the appropriate Federal agency,	X	
	and are they in agreement? **(1-6-02 Response from MDFWP in Appendix B)**	X	
7.	Is the proposed action under an Environmental Impact Statement (E.I.S.)?		X
8.	Is the proposed project on a new location? **The centerline for the new road would be in virtually the same location as that of the existing facility.**		X
9.	The Scope-of-Work for the proposed project is one of the following: a) Improved traffic operation; b) **Safety improvements**; c) 3R; d) **Bridge replacement on essentially the same alignment**; or e) Addition of lanes.	X	

*NOTE: MDT's guidelines for "minor amounts" of Right-of-Way (including Construction Permits) are limited to either 10% of a parcel under 10 hectares (25 acres), or 1% of a parcel equal to or greater than 10 hectares (25 acres) in size.

NOTE: Any response in a box requires additional information. Consult the "Nationwide" Section 4(f) Evaluation criteria.

ALTERNATIVES CONSIDERED

	YES	NO
1. The "do-nothing" **ALTERNATIVE** has been evaluated, and is not considered to be feasible and prudent.	X	☐
2. An **ALTERNATIVE** has been evaluated which improves the highway without any *4(f)* impacts, and is also not considered to be feasible and prudent.	X	☐

The existing roadway could be overlaid without changing the existing surface width or improving the road's alignment, or replacing the bridges on the route. This alternative would not provide desirable stopping sight distance at substandard vertical curves and would not include measures to address other geometric conditions that have contributed to motor vehicle accidents on the route. This alternative would not meet the need to improve the condition and load bearing capabilities of the bridges on Highway 234.

MDT also evaluated the alternative of pulverizing, milling and filling, or overlaying the existing road to improve Highway 234's riding surface. The existing width of the road would be maintained, substandard horizontal or vertical curves would be reconstructed, and roadside slopes would be flattened. A comparison of the costs and benefits showed the difference in cost of such work and totally reconstructing the route was negligible. Greater operational and safety benefits could be achieved by fully reconstructing the route.

3. An **ALTERNATIVE** on a new location avoiding the *4(f)* site has been evaluated, and is not considered to be feasible and prudent.	X	☐

The existing transportation corridor established the location of this project.

Descriptions of **ALTERNATIVES 2.** and **3.** are attached.	X	☐

Descriptions of these alternatives can be found in Part III of the attached EA.

MINIMIZATION OF HARM

1. The proposed project includes all possible planning to minimize harm.	X	☐
2. Measures to minimize harm include the following:		
a) Replacement of the lands used with lands of reasonably equivalent usefulness and location, and of at least comparable value.	X	___

MDT must provide 15.50 ha (38.29 acres) of replacement park land to Hill County to mitigate for the conversion of *Section 6(f)* land in Beaver Creek County Park. MDT has worked with Hill County to identify potential parcels adjacent to Beaver Creek County Park that could serve as replacement parkland. In April 2002, MDT reached a tentative agreement with the owner of landowner adjacent to the north end of the park to purchase a 16.19 ha (40-acre) parcel as replacement parkland. MDT will continue to involve Hill County and the MDFWP in its efforts to secure suitable replacement parkland.

b) Replacement of facilities impacted including sidewalks, paths, benches, lighting, trees and other facilities.	X	___

MDT will reconstruct the highway approaches to developed recreation sites in the park and replace existing fencing, signing, and cattle guards, and other facilities impacted by the proposed project.

c) Restoration/landscaping of disturbed areas.	X	___

Lands disturbed by construction will be revegetated with desirable plant species.

MINIMIZATION OF HARM (continued)

	YES	NO
d) Special design features.	X	

Several design exceptions are planned to avoid or minimize environmental impacts to Beaver Creek and adjacent park land. MDT would design and construct surfacing inslopes throughout the project at 5:1 for the first 2.7 m (8.8± feet) away from the road's edge instead of at 6:1. MDT would also adjust fill slopes from 4:1 to 2:1 at the bridge ends and one other location within the project area to minimize effects to Beaver Creek and adjacent wetlands.

e) Payment of, or improvements to the remaining *4(f)* lands equal in cost to fair market value.		X
f) Other mitigating measures.	X	

MDT and Hill County will implement a Safety Mitigation Plan for Highway 234 in Beaver Creek County Park in lieu of fencing the roadway corridor. The Safety Mitigation Plan will include a variety of measures to improve the overall safety of highway users (including park visitors), particularly during periods when livestock may be present. A key element of the Plan will be the development of springs at strategic locations in upland areas away from the highway. The springs will provide alternate watering locations and reduce the need for cattle to cross the road to water in the stream. The development of springs will provide other indirect benefits like improving water quality in Beaver Creek, reducing impacts to riparian vegetation caused by livestock, and more efficiently distributing livestock within the park. MDT will fund the costs of installing the new springs but Hill County will plan and oversee the construction of the water developments.

MDT will improve fish habitat in Beaver Creek near the existing highway crossing at Project Station 72+86 by developing deep-water habitat downstream from the new bridge.

MDT will coordinate with Hill County to determine the need for installing temporary signs or other means of advance notice of ongoing construction work for those planning to recreate in the park.

MDT will consult with Hill County to determine if the hours of construction activity on Highway 234 should be restricted due to the presence of recreation sites near the work zone.

COORDINATION

1. The proposed project has been coordinated with the Federal, state, and/or local officials having jurisdiction over the *4(f)* lands.	X	[ ]

This project has been planned and coordinated with Hill County, the owners and administrators of the *Section 4(f)* property since 1997.

Correspondence - April 11, 2002 - 4(f) Concurrence indicated April 22, 2002

Montana Department of Fish, Wildlife & Parks

Correspondence - November 3, 1995
Correspondence - June 2, 1999
Telephone Conference - April 11, 2001
Correspondence - June 11, 2001
Correspondence - January 6, 2002
Correspondence - April 25, 2002 - 4(f) Concurrence

U.S. Department of the Interior, National Park Service - Midwest Region

Telephone Conference - April 11, 2001
Correspondence - April 12, 2001
Correspondence - March 27, 2002 - 4(f) /6(f) Concurrence

Correspondence pertinent to *Section 4(f)* and LWCF *Section 6(f)* can be found in APPENDIX B of the attached EA.

Public Hearing on EA and Nationwide Section 4(f) Evaluation on March 26, 2002.

COORDINATION (continued)

	YES	NO
2) In the case of non-federal *4(f)* lands, the official with jurisdiction has been asked to identify any Federal encumbrances — and none exist.	___	[X]

Land and Water Conservation Fund (LWCF) projects have been undertaken by Hill County and the MDFWP at various locations in the park. Only those lands within Beaver Creek County Park south of the mid-section line of Section 28, Township-30-North, Range-16-West are encumbered by the LWCF.

3) Coordination with the U.S. ARMY - Corps of Engineers has been completed, or a *Section 404* Permit (if applicable) is pending.	X	[ ]

MDT will apply for a Section 404 Permit from the Corps when design plans for the project are sufficiently completed.

SUMMARY

The "Do Nothing" alternative ignores the basic transportation needs to correct deficiencies related to the geometry of the existing highway and to improve the condition of the existing roadway and its bridges. Nearly 85 percent of all horizontal curves and 33 percent of all vertical curves associated with the existing alignment are deficient. The existing pavement of Highway 234 within the project corridor has a poor driving surface due to excessive cracking and needs overlaying or reconstruction. The three existing bridges must be replaced due to their deteriorated physical conditions, their lack of adequate width, and their inadequate hydraulic capacities. Totally reconstructing Highway 234 on virtually the same alignment as the present roadway was identified as the only viable alternative for this project due to limitations caused by the existing road's location within the county park and the extensive riparian areas and wetlands adjacent to the existing highway. Constructing a road on a new location would cause extraordinary environmental impacts to other park lands or cause notable effects to private lands outside the park. Building on a new location would substantially increase engineering and construction costs since a new road would have to traverse steep and highly variable terrain in the uplands of the park or a new right-of-way corridor across private lands outside the park would have to be purchased. Therefore, no feasible and prudent alternatives exist to avoid the "use" of land from Beaver Creek County Park. Since the road already exists within the park, any additional impacts caused by the project are minimal.

The proposed action meets all criteria regarding the required **Alternatives**, **Coordination**, and **Measures to Minimize Harm.** All possible planning to minimize harm to Beaver Creek County Park has been undertaken and will be incorporated in this proposed project. This proposed project therefore complies with the December 23, 1986 Final Nationwide *Section 4(f)* Evaluation by the U.S. DEPARTMENT OF TRANSPORTATION's Federal Highway Administration.

APPROVAL

This document is submitted pursuant to **49 U.S.C. 303** and in accordance with the provisions of **16 U.S.C. 470f.**

Jean A. Riley, P.E.
Engineering Bureau Chief
MDT Environmental Services

Date: 5/1/02

Approved: _____ Date: 5-2-2002
Federal Highway Administration

Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

David A. Galt, Director
Judy Martz, Governor

April 11, 2002

Hill County Commissioners
Hill County Courthouse
315 4th Street
Havre, MT 59501

Subject: **14.9 km SOUTH OF HAVRE -SOUTH**
STPS-BR 234-1(7) 9; CN 2837
Concurrence with Section 4(f) Evaluation

The Montana Department of Transportation (MDT) considers all lands and developed recreation sites within Beaver Creek County Park as being significant for Section 4(f) purposes. This includes land leased by Hill County to the Montana Department of Fish, Wildlife & Parks (MDFWP) for the Bear Paw Lake Fishing Access Site.

As you know, MDT recently prepared and distributed an Environmental Assessment (EA) for the planned reconstruction of Secondary Highway 234 that included a Nationwide Section 4(f) Evaluation documenting this proposed project's effects to Beaver Creek County Park. Our evaluation shows that the project would result in the permanent use of a minor amount of lands within the park for transportation purposes. The proposed reconstruction on Highway 234 may also cause minor, temporary adverse effects to park land immediately adjacent to the highway. Park users and others traveling on the road may experience detours or short delays during reconstruction work.

Although a sizable right-of-way area on land in Beaver Creek County Park would be necessary for the proposed highway project, MDT concluded only the minor increase in the road's paved surface area would constitute a Section 4(f) use. Therefore, the only Section 4(f) land used by this proposed project would be the 3.9± feet of addition road surface width MDT plans to build through the park. The total area of this use was calculated to be 4.63 acres. This minor occupancy of park land (representing 0.046% of the total park area) would not change the ability of the public to recreate within Beaver Creek County Park or adversely affect any notable features or facilities within the park.

The proposed project would not impact any facilities within the MDFWP's Bear Paw Lake Fishing Access Site. However, rebuilding roadside slopes and replacing an existing storm drainage pipe would cause a minor and temporary encroachment on the MDFWP-administered land. Perimeter fencing disturbed by the highway project would be replaced and approaches to the FAS from Highway 234 would be rebuilt and resurfaced.

In response to the impacts discussed above, MDT would implement the measures identified below to minimize adverse effects on Beaver Creek County Park and its users:

- *MDT must provide at least 38.29 acres of replacement parkland to Hill County to mitigate for the conversion of land encumbered through past funding by the federal Land and Water Conservation Fund Act.*
- *MDT would reconstruct the highway approaches to developed recreation and replace existing fencing, signing, and cattle guards, and other facilities impacted by the proposed project.*
- *MDT would revegetate lands disturbed by construction with desirable plant species.*

- *MDT's project incorporates several design exceptions to avoid or minimize environmental impacts to Beaver Creek and adjacent park land. MDT would design and construct surfacing inslopes throughout the project at 5:1 for the first 8.8± feet away from the road's edge instead of at 6:1. MDT would also adjust fill slopes from 4:1 to 2:1 at the bridge ends and one other location within the project area to minimize effects to Beaver Creek and adjacent wetlands.*

- *MDT and Hill County will implement a Safety Mitigation Plan for Highway 234 in Beaver Creek County Park in lieu of fencing the roadway corridor. The Plan will include a variety of measures to improve the overall safety of highway users (including park visitors and users of the FAS), particularly during periods when livestock may be present.*

- *MDT's project incorporates measures to improve fish habitat in Beaver Creek.*

If you agree with our conclusions about the potential effects to Beaver Creek County Park and its users and the necessary minor use of land from the park, please sign on the appropriate lines below. If you do not agree or believe other measures should be implemented as mitigation, please provide us with a written response by May 1, 2002 outlining your reasons so we can further coordinate this project and its effects with you.

We plan to complete our EA for this project during the upcoming month. We would appreciate your prompt response so this concurrence letter can be included with our final EA documents and Section 4(f) Evaluation. If you need additional information about this project, please contact David C. Larson of my staff at 444-7648. Thank-you for your continued cooperation and assistance.

Jean A. Riley

Jean A. Riley, P.E., Chief
Environmental Engineering Bureau
Environmental Services

Concur: Pat Conway Date: 4-22-02
Pat Conway
Hill County Commissioner

Concur: Kathy Bessette Date: 4-22-02
Kathy Bessette
Hill County Commissioner

Concur: _____ Date: _____
Doug Kaercher
Hill County Commissioner

cc: Michael P. Johnson - Great Falls District Administrator
Carl S. Peil, P.E. - Preconstruction Engineer
Joseph P. Kolman, P.E. - Bridge Engineer
John Horton - Right-of-Way Bureau Chief
David W. Jensen - Supervisor, Fiscal Programming Section
George E. Periman - Acting Supervisor, Contract Plans Section
Stan Sternberg - Acting Manager, Environmental Services
Dan Norderud - Robert Peccia & Associates
Project file

S:\- GREAT FALLS\A837\A837 4fconohillco.doc

Montana Fish, Wildlife & Parks

RT 1- 4210
Glasgow, MT 59230

April 25, 2002

Jean A. Riley, P.E., Chief
Environmental Engineering Bureau
Environmental Services, 2701 Prospect Ave.
PO Box 2010001, Helena MT 59620-1001

Subject: 14.9 km SOUTH OF HAVRE- SOUTH
STPS-BR 234-1(7) 9; CN 2837
Concurrence with Section 4(f) Evaluation

Dear Jean:

We have reviewed your proposed work scheduled for Highway 234 in Beaver Creek County Park, south of Havre. Relating to the measures identified by MDT to minimize adverse effects on Beaver Creek Park mentioned in your April 11 memo, we concur, with only a few additional comments:

1. We would like to see the fence, and cattle guards, on the west side of Bearpaw Lake FAS align with the highway right-of-way. It is our understanding that this will require replacement of the entire length of fence along the highway and both cattle guards at the two entrances on the west side.

2. Concerning the bridge replacement at the head of Bear Paw Lake, FWP would prefer that the gravel road to the east of Bear Paw FAS be used during the bridge replacement as detour. The creek bank near the existing bridge is a well vegetated, sensitive area that is best left undisturbed and we would like to see this route used rather than constructing a temporary work bridge across the creek. In past years Hill County used this detour while making repairs on the existing bridge. It seemed to work well, as long as a patrol maintained the detour weekly. We would be open to modifications to our road to facilitate this detour if MDT requires. This will be addressed under SPA 124 permitting with our department, which we assume is forthcoming from MDT.

We recommend that your staff contact our area fisheries biologist, Kent Gilge at 265-6177 to coordinate details of this project .

Sincerely,

Jim Satterfield
Regional Supervisor

C: Bill Wiechelhoff – Regional Fisheries Manager
Kent Gilge – Fisheries Field Biologist